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ART GROUP NO.: 3634

FROM: Jeffrey A. Proehl Wanita Jacobsma
DeniseMoani NelsonRE: Appln. No. 10/665,681 Filing Date: September 18, 2003
Applicant: Walter LockhartEnclosed: Renewed Petition to Revive an Unintentionally Abandoned Application
Issue Fee Transmittal Document PTOL-85; copy of Decision on Petition

Total Number of Pages (Including cover sheet): 6 (Please call us as soon as possible if you do not receive all pages).

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Wanita Jacobsma
 Signature
Jeffrey A. Proehl
 Wanita Jacobsma
DeniseMoani Nelson

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SEP 05 2007

Attorney Docket No. 23-0349

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: WALTER LOCKHART)
Serial No: 10/665,681)
Filed: 9/18/2003)
For: EMERGENCY LADDER SYSTEM)
Examiner: Bruce A. Lev)
Group Art Unit: 3634)
Issue Batch No.: 6255)

Box DAC

Attention: Office of Petitions
Assistant Commissioner for Patents
Washington, D. C. 20231

**RENEWED PETITION TO REVIVE
AN UNINTENTIONALLY ABANDONED APPLICATION
UNDER THE PROVISIONS OF 37 C.F.R. 1.137(B)**

The above-identified application became abandoned for failure to file a timely and proper response to the "Notice of Allowance and Issue Fee Due" mailed on July 17, 2006, which set a three month shortened statutory period for submitting the Issue Fee to the Patent and Trademark Office. The abandonment date of this application was October 18, 2006.

The petition to revive was mailed on March 6, 2007. The petition was dismissed in a decision dated July 26, 2007 on the basis that the Issue Fee Transmittal document had not been submitted. Please consider this renewed petition to revive with the completed Issue Fee Transmittal document enclosed. Petition fee and issue fees were previously paid on March 6, 2007.

Granting of this Renewed Petition to Revive is respectfully
requested.

Respectfully submitted,

WOODS, FULLER, SHULTZ & SMITH P.C.



Date: SEPT. 4, 2007

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 ATTN: JEFFREY A. PROEHL
 P.O. BOX 5027
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JUL 26 2007

OFFICE OF PETITIONS

In re Application of	:	
LOCKHART	:	
Application No.: 10/665,681	:	DECISION ON PETITION
Filing Date: September 18, 2003	:	UNDER 37 CFR 1.137(B)
Attorney Docket No.: 23-0349	:	

This is a decision on the petition under 37 CFR 1.137(b), filed March 6, 2007, to revive the above-identified application.

The petition is DISMISSED.

The above-identified application became abandoned for failure to submit the issue fee in a timely manner in reply to the Notice of Allowance mailed July 17, 2006, which set a statutory period for reply of three (3) months. Accordingly, by operation of law, the above-identified application became abandoned on October 18, 2006.

Under 37 CFR 1.137(b), a petition requesting that an application be revived on the grounds of unintentional abandonment must be accompanied by: (1) the required reply unless previously filed, (2) the petition fee as set forth in 37 CFR 1.17(m), (3) a statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition was unintentional, and (4) a terminal disclaimer if the application was filed before June 8, 1995.

The instant petition does not satisfy requirement (1) above. Specifically, "PART B - FEES(S) TRANSMITTAL" or its equivalent has not been submitted. See Notice of Allowance, "How to Reply to This Notice", Section II.

Any request for reconsideration of this decision must be submitted within TWO (2) MONTHS from the mail date of this decision. Extensions of time under 37 CFR 1.136(a) are permitted. Any reconsideration request should include a cover letter entitled "Renewed Petition Under 37 CFR 1.137(b)."

Application Number: 10/665,681

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Further correspondence with respect to this matter should be addressed as follows:

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By fax: (571) 273-8300
ATTN: Office of Petitions

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-3303.

Bryan Lin

Bryan Lin
Legal Examiner
Office of the Deputy Commissioner
for Patent Examination Policy